



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 15, 1979

MEMORANDUM FOR: Commissioner Ahearne

THRU:

Lee V. Gossick, Executive Director
for Operations

FROM:

William J. Dircks, Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT:

TARAPUR - ADEQUACY OF SAFEGUARDS

- (U) In your memorandum of February 13, 1979, you requested information concerning NMSS's position on the adequacy of safeguards at Tarapur. At the outset, I would like to point out that the NMSS stated positions regarding the effectiveness of IAEA safeguards in India are not related solely to the reactor facilities at Tarapur, but relate jointly to the fuel facility at Hyderabad and the reactors. The material involved in the export under consideration will go to the fuel facility for fabrication of the reactor fuel. The NMSS views of the effectiveness of IAEA safeguards in India were expressed both in the Commission paper SECY 78-596A, and in the staff testimony from Joanna Becker to Sam Chilk dated January 11, 1979. The NMSS conclusion was that the available information on IAEA implementation is not sufficient to permit NMSS to evaluate the effectiveness of IAEA safeguards in India.
- (U) The intent of NMSS's statements was to emphasize the fact that NMSS needed more specific information in order to make judgments about the effectiveness of IAEA safeguards in India. Although the SIR identifies types of deficiencies, it does not provide details concerning the nature of the deficiencies. In this regard, in an NMSS response to an IP request for input into the staff testimony (December 22, 1978, memorandum from T. S. Sherr to Gerald G. Oplinger), NMSS indicated:

In order to completely satisfy your request for our comments on "the adequacy, for purposes of NRC's determination under NNPA of the safeguards applied by the International Atomic Energy Agency at the Tarapur facility, and of U.S. government information on these safeguards", we would like a copy of all pertinent information your office may have on the subject. Additionally, please request the Executive Branch to provide us any information having a bearing on the application of IAEA safeguards in India.

NMSS was subsequently advised by IP staff that no additional information was available on the application of IAEA safeguards in India.

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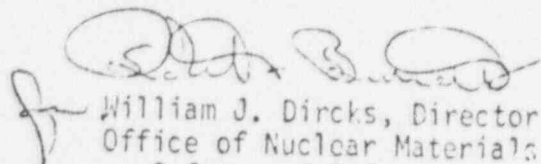
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(U) Our response to your specific questions is as follows:

1. Is it correct that NMSS was familiar with the statements concerning the adequacy of safeguards made by Mr. Leventhal in his testimony before Congress during its hearings on the last Tarapur license?

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- A. NMSS was familiar with the statements made by Mr. Levanthal in his testimony before Congress during its hearings on the last Tarapur license. His statements relating to cameras and seals represent the only information not already available to NMSS through the SIR. With regard to the statements concerning cameras and seals, we were not aware that the Executive Branch responses to Mr. Levanthal's assertions were still in question. As indicated above, the SIR did not indicate any specific problems at the reactor facilities. However, the lack of mention in the SIR is the only information that we are aware of that would substantiate State Department's assertions regarding cameras and seals.
2. Is there any information beyond that found in the letter from Nye to Glenn dated June 15, 1978 (in response to the Levanthal testimony), the letter from Nosenzo to Shea dated September 12, 1978 (concerning cameras and seals), and the notes transmitted by Nosenzo to the NRC February 6, 1979 (concerning the followup letter from Levanthal to Glenn) which relates to the Levanthal concerns?
- A. NMSS also reviewed the letter of June 22, 1978, from Mr. Levanthal to Senator Glenn as well as Mr. Nosenzo's letter of December 19, 1978, which provided information with regard to the use of cameras at Tarapur in 1977.
3. Would it be correct to assume NMSS considered the Levanthal statements and related information in reaching its position?
- A. Yes. NMSS's conclusions regarding the effectiveness of IAEA safeguards in India were based on the information in the 1976 SSIR and 1977 SIR documents, and the information included in the various correspondence concerning cameras and seals in India as identified above. However, NMSS assumed that the Executive Branch responses to Mr. Levanthal's concerns had resolved the camera and seal issues.


William J. Dircks, Director
Office of Nuclear Materials
Safety and Safeguards

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